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COMMONWEALTH OF VIRGINIA
STATE CORPORATION COMMISSION

AT RICHMOND, OCTOBER 2, 2001

APPLICATION OF

eLINK TELECOMMUNICATIONS
OF VIRGINIA, INC.

CASE NO. PUC010151

For certificates of public
convenience and necessity to
provide local exchange and
interexchange telecommunications
services and for interim operating
authority

ORDER FOR NOTICE AND COMMENT
AND GRANTING INTERIM AUTHORITY

On September 10, 2001, eLink Telecommunications of Virginia, Inc. ("eLink" or "Applicant"), completed an application for certificates of public convenience and necessity ("certificates") with the State Corporation Commission ("Commission") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. The Applicant also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia and requested interim authority to provide local exchange and interexchange telecommunications services to existing customers of OnSite Access Local LLC ("OnSite").¹

¹ By Commission Order dated April 27, 2000, in Case No. PUC000014, OnSite was authorized to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. On July 3 and July 19,

NOW UPON CONSIDERATION of the application, the Commission is of the opinion and finds that eLink's application should be docketed; that the Applicant should give notice to the public of its application; that interested parties should have an opportunity to comment and request a hearing on eLink's application; and that the Commission Staff should conduct an investigation into the reasonableness of the application and present its findings in a Staff Report. We will, considering the application filed in Case No. PUA010034, grant eLink authority to operate and provide service to existing customers under the tariffs of OnSite Access Local LLC subject to further order of this Commission.

Accordingly, IT IS ORDERED THAT:

- (1) This case is docketed and assigned Case No. PUC010151.
- (2) eLink Telecommunications of Virginia, Inc., is hereby granted interim operating authority to operate and provide local exchange and interexchange telecommunications services to existing customers of OnSite, under the tariffs of OnSite, pending the issuance of further Commission Orders.
- (3) On or before October 31, 2001, the Applicant shall complete publication of the following notice to be published on

2001, OnSite filed an application to transfer its assets to eLink. That application is docketed as Case No. PUA010034. Since the proposed transfer would not transfer Certificate No. TT-90A authorizing OnSite to provide interexchange telecommunications services and Certificate No. T-485 authorizing OnSite to provide local exchange telecommunications services, eLink has filed this application, as eLink will obtain part of the operating assets of OnSite if the proposed transfer is approved.

one (1) occasion as classified advertising in newspapers having general circulation throughout the Applicant's proposed service territory:

NOTICE TO THE PUBLIC OF AN APPLICATION BY
eLINK TELECOMMUNICATIONS OF VIRGINIA, INC.
FOR CERTIFICATES OF PUBLIC CONVENIENCE AND
NECESSITY TO PROVIDE LOCAL EXCHANGE AND
INTEREXCHANGE TELECOMMUNICATIONS SERVICES
THROUGHOUT THE COMMONWEALTH OF VIRGINIA, AND
FOR
INTERIM OPERATING AUTHORITY
CASE NO. PUC010151

On September 10, 2001, eLink Telecommunications of Virginia, Inc. ("eLink" or "Applicant") filed an application with the State Corporation Commission ("Commission") for certificates of public convenience and necessity ("certificates") to provide local exchange and interexchange telecommunications services throughout the Commonwealth of Virginia. In its application, the Applicant also requested authority to price its interexchange telecommunications services on a competitive basis pursuant to § 56-481.1 of the Code of Virginia and requested interim operating authority to provide telecommunications services to customers of Onsite Access Local LLC.

On July 3 and July 19, 2001, OnSite Access Local LLC ("OnSite") filed an application to transfer the operating assets of OnSite to eLink. That proceeding is docketed as Case No. PUA010034. If approved, that application would not transfer OnSite's Certificate No. TT-90A to provide interexchange telecommunications services and OnSite's Certificate T-485 to provide local exchange telecommunications services to eLink. Accordingly, on September 10, 2001, eLink completed an application for certificates of public convenience and necessity ("certificates") to the Commission to provide local exchange and interexchange services.

Copies of the applications are available for public inspection between the hours of 8:15 a.m. and 5:00 p.m., Monday through Friday, in the Commission's Document Control Center located on the first floor of the Tyler Building, 1300 East Main Street, Richmond, Virginia, or can be ordered from eLink's counsel, Richard J. Dyer, O'Melveny & Myers LLP, 555 13th Street, N.W., Washington, D.C. 20004-1109.

Any person desiring to comment on eLink's application for certificates to provide local exchange and interexchange telecommunications services may do so by directing such comments in writing on or before November 21, 2001, to the Clerk of the Commission at the address set out below.

Any person may request a hearing on eLink's application by filing an original and fifteen (15) copies of its request for hearing on or before November 21, 2001, with the Clerk of the Commission at the address set out below. Requests for hearing must state with specificity why a hearing should be conducted.

All written communications to the Commission concerning eLink's application should be directed to Joel H. Peck, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218, and must refer to Case No. PUC010151.

eLINK TELECOMMUNICATIONS OF VIRGINIA, INC.

(4) On or before October 31, 2001, Applicant shall provide a copy of the notice contained in ordering paragraph (3) to each local exchange telephone carrier certificated in Virginia and each interexchange carrier certificated in Virginia by personal delivery or first-class mail, postage prepaid, to the customary place of business. Lists of all current local exchange and

interexchange carriers in Virginia are attached to this Order as Appendices A and B, respectively.

(5) Any person desiring to comment in writing on eLink's application for a certificate to provide local exchange and interexchange telecommunications services may do so by directing such comments on or before November 21, 2001, to the Clerk of the Commission at the address set forth below. Comments must refer to Case No. PUC010151.

(6) On or before November 21, 2001, any person wishing to request a hearing on eLink's application for certificates to provide local exchange and interexchange telecommunications services shall file an original and fifteen (15) copies of its request for hearing in writing with Joel H. Peck, Clerk of the State Corporation Commission, c/o Document Control Center, P.O. Box 2118, Richmond, Virginia 23218. Written requests for hearing shall refer to Case No. PUC010151 and shall state the following: (i) a precise statement of the interest of the filing party; (ii) a statement of the specific action sought to the extent then known; (iii) a statement of the legal basis for such action; and (iv) a precise statement why a hearing should be conducted in the matter. Copies shall also be served on the applicant.

(7) On or before November 30, 2001, the Applicant shall file with the Commission proof of notice and proof of service as ordered herein.

(8) The Commission Staff shall analyze the reasonableness of eLink's application and present its findings in a Staff Report to be filed on or before December 5, 2001.

(9) On or before December 13, 2001, the Applicant shall file with the Clerk of the Commission an original and fifteen (15) copies of any response to the Staff Report or parties' objections and requests for hearing. A copy of the response shall be delivered to Staff and the other parties by overnight delivery.

(10) The Applicant shall respond to written interrogatories or data requests within seven (7) days after the receipt of the same. Parties shall provide to the Applicant, other additional parties, and Staff any workpapers or documents used in preparation of their requests for hearing, promptly upon request. Except as so modified, discovery shall be in accordance with Part IV of the Rules.